

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES HAJNY,

Defendant.

Case No. 14-05022-01-CR-SW-BCW

**GOVERNMENT'S NOTICE OF INTENTION TO ADMIT INTO EVIDENCE CERTIFIED
DOMESTIC RECORDS OF REGULARLY CONDUCTED ACTIVITY UNDER FEDERAL
RULES OF EVIDENCE 803(6) AND 902(11)**

COMES NOW the United States of America, by the United States Attorney for the Western District of Missouri, and hereby offers its written notice to all adverse parties of its intention to admit into evidence certified domestic records of regularly conducted activity under Federal Rules of Evidence 803(6) and 902(11).

During the trial, the Government intends to seek admission into evidence of the following documents:

1. Business documents from Cable One pertaining to the registration of Internet Protocol Address 67.60.106.65 and 174.126.57.23;
2. Business documents from Toshiba pertaining to the manufacturing location of a Toshiba Laptop Computer, Model Satellite A505-S6005, serial number Z9207714Q;
3. Business documents from Hitachi pertaining to the manufacturing location of a Hitachi 500GB hard drive, Model HTS545050B9A300, serial number Q7C0ARKA;
4. Business documents from Compaq pertaining to the manufacturing location of a Compaq Desktop Computer, Model Presario SR1802U, serial number CNH60968PZ;

5. Business documents from Seagate pertaining to the manufacturing location of a Seagate 80GB hard drive, Model ST380011A, serial number 5JVWL372; and

6. Business documents from Samsung pertaining to the manufacturing location of a Samsung SPH-L710, MEID 256691487004798214, mobile device.

Federal Rules of Evidence 803(6) and 902(11) allows, if documents are otherwise admissible under law and under Federal Rule of Evidence 803(6), for a custodian of the records to sign a certificate that declares that the document or record -

(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;

(B) was kept in the course of the regularly conducted activity; and

(C) was made by the regularly conducted activity as a regular practice.

If the custodian signs such a certification, the Court can allow the Government to admit the document into evidence, as self-authenticating, so long as the Government provide written notice of this intention and make the record and the certifications available for inspection sufficiently in advance of trial. A copy of the business records for the documents and the certifications in question have been or will be given to the defendant as part of the discovery in this case.

For the above mentioned reasons, the Government asks for the admission of the proffered evidence under the Federal Rules of Evidence and applicable case law.

Respectfully submitted,

Tammy Dickinson
United States Attorney

By: /s/ Ami Harshad Miller
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on July 1, 2016, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Ami Harshad Miller

Ami Harshad Miller

Assistant United States Attorney